

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
Barry Francioni  
Debtor

Case No. 18-04456-MJC  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0314-5  
Date Rcvd: Mar 12, 2024

User: AutoDocket  
Form ID: pdf010

Page 1 of 3  
Total Noticed: 34

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 14, 2024:**

Recip ID	Recipient Name and Address
db	+ Barry Francioni, 1029 LaSalle Street, Berwick, PA 18603-1816
5129810	+ Bayview Loan Servicing, LLC, a Delaware Limited Li, c/o McCabe, Weisberg & Conway, LLC, Suite 1400, 123 South Broad Street, Philadelphia, PA 19109-1060
5135236	+ Berwick Hospital, 701 E 16th St, Berwick, PA 18603-2397
5135238	+ Columbia County Tax Claim Bureau, 11 W Main Street, Bloomsburg, PA 17815-1702
5135246	+ McCabe, Weisberg and Conway, P.C., 123 South Broad Street, Philadelphia, PA 19109-1029
5490130	+ Nationstar Mortgage LLC, 2121 Waukegan Road, Suite 300, Bannockburn, Pennsylvania 60015-1831
5490131	+ Nationstar Mortgage LLC, 2121 Waukegan Road, Suite 300, Bannockburn, Pennsylvania 60015, Nationstar Mortgage LLC, 2121 Waukegan Road, Suite 300 Bannockburn, Pennsylvania 60015-1831
5122104	+ Northwest Consumer Dis, 1000 S Market, Bloomsburg, PA 17815-2600
5122106	+ Regency Cons Disc Co I, 1301 New Berwick Hwy, Bloomsburg, PA 17815-8809
5122109	+ Wf Crd Svc, 3201 N 4th Ave, Sioux Falls, SD 57104-0700

TOTAL: 10

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: nsm_bk_notices@mrcooper.com	Mar 12 2024 18:49:00	Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741
cr	^ MEBN	Mar 12 2024 18:44:04	SN Servicing Corporation, as servicer for U.S. Ban, c/o Friedman Vartolo, LLP, 1325 Franklin Ave., Suite 160, Garden City, NY 11530-1631
5122095	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Mar 12 2024 18:49:00	Bayview Financial Loan, 4425 Ponce De Leon Blvd, Coral Gables, FL 33146-1837
5122096	Email/PDF: Citi.BNC.Correspondence@citi.com	Mar 12 2024 18:55:22	Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202
5154965	+ Email/Text: anewhart@columbiapa.org	Mar 12 2024 18:49:00	Columbia County Tax Claim Bureau, PO Box 380, Bloomsburg, PA 17815-0380
5122097	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Mar 12 2024 18:49:00	Comenitybk/bonton, Po Box 182789, Columbus, OH 43218-2789
5122098	+ Email/Text: commonwealth@ebn.phinsolutions.com	Mar 12 2024 18:49:00	Commonwealth Financial, 245 Main St, Dickson City, PA 18519-1641
5366836	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 12 2024 18:49:00	Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146, Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1839
5366835	+ Email/Text: nsm_bk_notices@mrcooper.com	Mar 12 2024 18:49:00	Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1839
5122099	+ Email/Text: bdsupport@creditmanagementcompany.com		

District/off: 0314-5  
Date Rcvd: Mar 12, 2024

User: AutoDocke  
Form ID: pdf010

Page 2 of 3  
Total Noticed: 34

		Mar 12 2024 18:49:00	Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
5135242	^ MEBN		
		Mar 12 2024 18:43:57	KML, 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
5122100	+ Email/Text: PBNCNotifications@peritussservices.com		
		Mar 12 2024 18:49:00	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
5122101	+ Email/Text: support@ljross.com		
		Mar 12 2024 18:49:00	L J Ross Associates In, 4 Universal Way, Jackson, MI 49202-1455
5122102	Email/Text: camanagement@mtb.com		
		Mar 12 2024 18:49:00	M & T Bank, Po Box 7678, Buffalo, NY 14240
5130702	+ Email/Text: camanagement@mtb.com		
		Mar 12 2024 18:49:00	M&T BANK, PO BOX 1508, BUFFALO, NY 14240-1508
5122103	+ Email/Text: MDSBankruptcies@meddatsys.com		
		Mar 12 2024 18:49:00	Medical Data Systems I, 645 Walnut St Ste 5, Gadsden, AL 35901-4173
5122105	^ MEBN		
		Mar 12 2024 18:44:13	PP&L, 2 NORTH 9TH STREET, ALLENTOWN, PA 18101-1179
5124702	Email/Text: RVSVCBICNOTICE1@state.pa.us		
		Mar 12 2024 18:49:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
5512624	Email/Text: bknotices@sns.com		
		Mar 12 2024 18:49:00	SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501
5512625	Email/Text: bknotices@sns.com		
		Mar 12 2024 18:49:00	SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501, SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501
5122107	+ Email/PDF: ais.sync.ebn@aisinfo.com		
		Mar 12 2024 18:55:03	Syncb/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
5122108	+ Email/PDF: ais.sync.ebn@aisinfo.com		
		Mar 12 2024 18:55:12	Syncb/walmart, Po Box 965024, Orlando, FL 32896-5024
5547188	^ MEBN		
		Mar 12 2024 18:43:21	U.S. Bank Trust National Association as Trustee, for LB-Ranch Series V Trust, SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501, U.S. Bank Trust National Association as 95501-0305
5547187	^ MEBN		
		Mar 12 2024 18:43:19	U.S. Bank Trust National Association as Trustee, for LB-Ranch Series V Trust, SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501-0305

TOTAL: 24

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
5135235	*+	Bayview Financial Loan, 4425 Ponce De Leon Blvd, Coral Gables, FL 33146-1837
5135237	*P++	CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239, address filed with court:, Citifinancial, 300 Saint Paul Pl, Baltimore, MD 21202
5135239	*+	Comenitybk/bonton, Po Box 182789, Columbus, OH 43218-2789
5135240	*+	Commonwealth Financial, 245 Main St, Dickson City, PA 18519-1641
5135241	*+	Credit Management Co, 2121 Noblestown Rd, Pittsburgh, PA 15205-3956
5135243	*+	Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
5135244	*+	L J Ross Associates In, 4 Universal Way, Jackson, MI 49202-1455
5135245	*P++	M&T BANK, LEGAL DOCUMENT PROCESSING, 626 COMMERCE DRIVE, AMHERST NY 14228-2307, address filed with court:, M & T Bank, Po Box 7678, Buffalo, NY 14240
5135247	*+	Medical Data Systems I, 645 Walnut St Ste 5, Gadsden, AL 35901-4173
5135248	*+	Northwest Consumer Dis, 1000 S Market, Bloomsburg, PA 17815-2600
5135250	*	PP&L, 2 NORTH 9TH STREET, ALLENTOWN, PA 18101-1179
5135249	*+	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946

District/off: 0314-5  
Date Rcvd: Mar 12, 2024

User: AutoDocke  
Form ID: pdf010

Page 3 of 3  
Total Noticed: 34

5135251	*+	Regency Cons Disc Co I, 1301 New Berwick Hwy, Bloomsburg, PA 17815-8809
5135252	*+	Syncb/care Credit, 950 Forrer Blvd, Kettering, OH 45420-1469
5135253	*+	Syncb/walmart, Po Box 965024, Orlando, FL 32896-5024
5135254	*+	Wf Crd Svc, 3201 N 4th Ave, Sioux Falls, SD 57104-0700

TOTAL: 0 Undeliverable, 16 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 14, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 12, 2024 at the address(es) listed below:

Name	Email Address
Alexandra Teresa Garcia	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company ecfmail@mwclaw.com, ecfmail@ecf.courtdrive.com
Christopher A DeNardo	on behalf of Creditor Nationstar Mortgage LLC logsecf@logs.com cistewart@logs.com
Jack N Zaharopoulos	TWecf@pamd13trustee.com
Lauren Marie Moyer	on behalf of Creditor SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee for LB-Ranch Series V Trust bkecf@friedmanvartolo.com, ecfmail@ecf.courtdrive.com
Marisa Myers Cohen	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company ecfmail@mwclaw.com
Michael Patrick Farrington	on behalf of Creditor COMMUNITY LOAN SERVICING LLC mfarrington@kmlawgroup.com
Michael Patrick Farrington	on behalf of Creditor Bayview Loan Servicing LLC, a Delaware Limited Liability Company mfarrington@kmlawgroup.com
Michael Patrick Farrington	on behalf of Creditor Community Loan Servicing LLC mfarrington@kmlawgroup.com
Michelle Ghidotti	on behalf of Creditor U.S. Bank Trust National Association as Trustee of LB-Tiki Series V Trust bknotifications@ghidottiberger.com
Paul W McElrath, Jr.	on behalf of Debtor 1 Barry Francioni ecf@mcclathlaw.com donotemail.ecfbackuponly@gmail.com
United States Trustee	ustpreion03.ha.ecf@usdoj.gov

TOTAL: 11

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	Chapter 13
	:	
WYNTON J. WILLIAMS,	:	CASE NO.: 1-19-bk-04591-HWV
ANDREA R. KEITH,	:	CASE NO.: 1-22-bk-02326-HWV
TAWNIA DIEHL,	:	CASE NO.: 4-19-bk-00161-MJC
JUSTIN HOLLABAUGH,	:	CASE NO.: 4-19-bk-02563-MJC
MATTHEW RAGAN,	:	CASE NO.: 4-19-bk-03804-MJC
JEFFREY E. STRYKER and SHERRY	:	CASE NO.: 4-21-bk-01259-MJC
A. STRYKER,	:	
MARSHA K. FANNIN,	:	CASE NO.: 4-23-bk-00040-MJC
NESTOR ARIAS and COLEEN ARIAS,	:	CASE NO.: 5-18-bk-02033-MJC
BARRY FRANCIONI,	:	CASE NO.: 5-18-bk-04456-MJC
CHRISTINA CHABAN,	:	CASE NO.: 5-19-bk-01416-MJC
THOMAS R. HOMENCHAK,	:	CASE NO.: 5-19-bk-02085-MJC
MICHAEL PUTALAVAGE and TERRI	:	CASE NO.: 5-19-bk-03389-MJC
PUTALAVAGE,	:	
PAUL WERKHEISER,	:	CASE NO.: 5-20-bk-00245-MJC
JOSEPH HOLLOMAN,	:	CASE NO.: 5-20-bk-01593-MJC
RONALD WALTON,	:	CASE NO.: 5-21-bk-01053-MJC
	:	
DEBTORS,	:	

**ORDER OF COURT**

**WHEREAS**, on December 8, 2023, the United States Trustee (“UST”) filed twenty-three (23) Motions for Status Conference in the pending Chapter 13 cases filed by Attorney Paul McElrath (“Attorney McElrath”) in the Middle District of Pennsylvania due to repeated issues with client communications;

**WHEREAS**, on January 9, 2024, the Honorable Henry W. Van Eck held and completed a status conference with Attorney McElrath, Attorney Joseph Schalk, appearing on behalf of the UST, and Attorney Jack Zaharopoulos, the Chapter 13 Trustee, in the matters pending before him;

**WHEREAS**, on January 10, 2024, the Honorable Mark J. Conway held and continued a status conference to March 7, 2024, in the matters pending before him to allow Attorney McElrath time to work with the UST and Chapter 13 Trustee on finalizing a plan of action for addressing the concerns raised by the UST;

**WHEREAS**, subsequent thereto, Attorney McElrath experienced worsening health issues, which have impacted his ability to resolve the issues raised by the UST;

**WHEREAS**, on March 5, 2024, the United States Bankruptcy Court for the Western District of Pennsylvania filed a Consent Order of Court whereby Attorney McElrath voluntarily agreed to cease the representation of debtor clients in Chapter 13 cases due significant health concerns, effective immediately, and further agreed to a transition process for his open Chapter 13 cases;

**WHEREAS**, via a status report filed February 9, 2024, the UST represented to the Court that Attorney McElrath intended to enter into a similarly-styled arrangement to transition his Chapter 13 clients to alternate counsel in the Middle District of Pennsylvania;

**WHEREAS**, the Honorable Mark J. Conway held the continued status conference on March 7, 2024, at which time, Attorney McElrath was unable to appear and Attorney Schalk advised the Court of the developments in the Western District of Pennsylvania, including the entry of the Consent Order of Court;

**WHEREAS**, the Court, concerned that Attorney McElrath was not able to discharge his duties as counsel for the affected Chapter 13 debtors in the Middle District elected to enter this Order to address all outstanding Chapter 13 cases involving Attorney McElrath;

**WHEREAS**, upon consideration of the concerns raised by the UST, the information contained in the Consent Order of Court filed in the Western District of Pennsylvania, the record as a whole, and the Court having determined that it necessary to protect the interests of Attorney McElrath's Chapter 13 clients, **IT IS HEREBY ORDERED THAT:**

1. Attorney McElrath will, except as otherwise provided for in this Order, cease the representation of debtor clients in Chapter 13 cases in the United States Bankruptcy Court for the Middle District of Pennsylvania, effective as of the date of this Order.

2. Notwithstanding the cessation of representation of existing clients, Attorney McElrath shall: (i) be obligated to deliver on a go-forward basis, all client documents (including such paper and electronic documents as are available) requested by the debtor clients and/or any substituting or new counsel; (ii) maintain, on a go forward basis (for no less than two years from the date of this Order), a working telephone number and email address, which he shall provide to all existing Chapter 13 debtor clients, the Chapter 13 Trustee, the UST, and the substituting or new counsel in each client's case, and shall answer, to the best of his ability, any inquiries directed to him concerning the case from existing clients, the Chapter 13 Trustee, UST, or substituting or new counsel; and (iii) be permitted to file certifications of discharge eligibility and other documents required for case completion for those debtor clients whose cases have or will be completed and the debtor client has not employed substitute counsel to file such documents.

3. The Chapter 13 Trustee shall issue a letter in the form attached hereto as Exhibit "A" ("Notice Letter") notifying the debtors of the health issues experienced by Attorney McElrath and advising them that Attorney McElrath is unable to complete their bankruptcy cases. The Notice Letter shall include a list of MDBBA attorneys that have agreed to discuss

accepting transfer files from Attorney McElrath and direct the debtors to secure alternate counsel within sixty (60) days, or otherwise they will be deemed to be proceeding *pro se*.

4. All actions in the affected Chapter 13 cases shall be administratively stayed for a period of sixty (60) days to allow the debtors to secure alternate counsel.

Dated: March 12, 2024

By the Court,

A handwritten signature in black ink, appearing to read 'Mark J. Conway', is written over a horizontal line.

Mark J. Conway, Bankruptcy Judge (KM)

# EXHIBIT A

**JACK N. ZAHAROPOULOS**  
STANDING CHAPTER 13 TRUSTEE  
MIDDLE DISTRICT OF PENNSYLVANIA  
8125 ADAMS DRIVE, SUITE A  
HUMMELSTOWN, PA 17036

Agatha R. McHale  
Attorney at Law

Douglas R. Roeder  
Attorney at Law

TELEPHONE (717) 566-6097  
E-MAIL: [info@pamd13trustee.com](mailto:info@pamd13trustee.com)

March \_\_, 2024

(Debtor Name)  
(Debtor Address)

Re: Case No. \_\_\_\_\_

Dear Mr. and/or Mrs. \_\_\_\_\_:

It is my unfortunate duty to inform you that your attorney, Paul McElrath, has suffered from serious health issues in the past few months and these issues have impacted his ability to discharge his duties as your counsel. The Court, the Office of the United States Trustee and my office were notified that Attorney McElrath has therefore made the decision to step away from his legal practice for the time being to concentrate on his health. The Court has entered an Order addressing this matter and a copy of it is attached hereto for your review. Our office has been asked by the Court to notify you of this development and to inform you of your options for substitute counsel.

Many skilled Chapter 13 attorneys have agreed to discuss assuming representation of Attorney McElrath's clients. Attached to this letter is a list of attorneys with their contact information. The Court has asked me to strongly encourage you to immediately contact one of the attorneys on the attached list and make arrangements for the transfer of your file. Again, please do this right away as time is of the essence.

If you chose one of the Substitute Attorneys from the list and he/she agrees to take over your case, the attorney will: (a) enter an appearance in your case to replace Attorney McElrath; (b) familiarize themselves with your case and consult with the Chapter 13 Trustee concerning the status of your case and determine if there are any outstanding matters that need to be addressed (including payment arrears and outstanding plan contingencies); and (c) then communicate with you concerning your case.

You, of course, have the right to represent yourself, but please remember that the failure rate of completing a Chapter 13 case without an attorney is very high. If a Substitute Attorney does not enter an appearance in your case in the next 45 days, the Court will presume you are proceeding *pro se*, or representing yourself.



The fastest and easiest way to obtain a Substitute Attorney is for you to directly call or email one (or more) of the attorneys on the attached list. If it is important to you to choose a lawyer near where you live, we have included the addresses of the attorneys' office locations.

While you may attempt to reach Attorney McElrath by phone or email, it is my understanding that he is currently limited by his health. If you have questions regarding this matter, you may contact my office at 717-566-6097.

Thank you for your understanding.

Very truly yours,

Jack N. Zaharopoulos  
Chapter 13 Trustee  
8125 Adams Dr., Ste. A  
Hummelstown, PA 17036

Enclosures